PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

(703) 746-4000 or <u>Fax</u>

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required) Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as

CURRENT CORRESPONDENCE ADDRESS (Note: Use Black 1 for any change of address)					Note: A certificate of mailing can only be used for domestic mailings of the		
ววธรว	22882 7590 01/27/2003				Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of realing or transmission.		
MARTIN & FI				\ \chi_{\chi_{\chi}}	C	ertificule of Mailing or Tenni	rmicrian
1557 LAKE O'P			/	(A)	I hereby certify that	this Fuc(s) Transmittal is bein	g deposited with the United
HARTVILLE, O			FEB	2 3 2005	addressed to the Ma	this Fig. 7 Transmittal is bein with sufficient postage for fir all Stop ISSUE FEE address PTO (703) 746-4000, on the	ist class mail in an envelope above, or being facsimile fare indicated below
			PATER &	7 2 7000 A	Sandra L		(Depositur's name)
			× (4)	TO A OF MA CONTO	Danting	11 Jackman	(gigunine)
				MADERI	February	23, 2005	(Date)
APPLICATION NO.	FILING I	DATE	គា	RST NAMED INVE	NTOR	AT ORNEY DOCKET NO.	CONFIRMATION NO.
10/085,406 03/01/2002		2002	Gary K. Michel		an an	101.0093-00000	6768
TILE OF INVENTION UMBAR SPINE AND I			ED WITH MOVA	ABLE EXTENSIO	NS FOR CREATING A	AN IMPLANTATION SPACE	E POSTERIORLY IN THE
APPLN. TYPE	LN. TYPE SMALL ENTITY		issue fre		UBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	nonprovisional NO		\$1400		\$300	\$1700	04/27/2005
EXAMINER			ART UNIT		LASS-SUBCLASS]	
PRIDDY, MICHAEL B			3732		606-090000		
Change of corresponde					the patent front page, I up to 3 registered pate ematively,		1 & Ferraro,
Change of corresponded Address form PTO/SB	/122) attached.	R CHAIGE OF CO.	irespondence	(2) the name of a	single firm (having as	a meraber a 2	
Tree Address* indication (or "Fee Address* Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.				(2) the name of a single firm (having as a member a registered automey or agent) and the names of up to 2 registered patient automeys or agents. If no name is listed, no name will be printed.			
. ASSIGNEE NAME A							
PLEASE NOTE: Unic	ss an assignee is in 37 CFR 3.11.	identified belov Completion of t	v, no assignee da his form is NOT a	ita will appear on a substitute for filit	the patent. If an assignment,	nee is identified below, the d	ocument has been filed for
(A) NAME OF ASSIG					TY and STATE OR CO		
lease check the appropris		ory or categorics				orporation or other private gro	oup entity Government
			_	th. Payment of Fee(s):			
☑ Issue Fee ☑ Publication Fee (No small entity discount permitted)			_	A check in the amount of the fee(s) is enclosed. Payment by credit card. Form PTO-2038 is attached.			
Advance Order - # of Copies			_	The Director is hereby authorized by charge the required fec(s), or credit any overpayment, to Deposit Account Number 50-1066 (enclose an extra copy of this form).			
Change in Entity State	15 (from status ind	licated above)		_			
a. Applicant claims	SMALL ENTITY	status, See 37	CFR 1.27.	b. Applicant is n	o longer claiming SMA	LL ENTITY starus, Sec 37 CI	FR 1.27(g)(2).
he Director of the USPT OTE: The Issue Fee and perest as shown by the re	O is requested to a Publication Fee () cords of the Unite	ipply the Issue F if required) will d States Patent	ee and Publication not be accepted fra and Trademark Of	n Fee (if any) or to rom anyone other t ffice.	re-upply any previous han the applicant; a reg	ly paid issue fee to the applica istered attorney or agent, or th	tion identified above, se assignee or other party in
Authorized Signature	Thomas	AM	arla-		Date F	ebmuary 23, 2	005
Typed or printed name Thomas H. Martin				Registration No. 34,383			
his collection of informa n application. Confident ubmitting the completed his form and/or suggestions. 1450, Algentity.	tion is required by ality is governed t application form (ns for reducing the pinia 22212-1450	37 CFR 1.311. by 35 U.S.C. 12 to the USPTO. is burden, shoul by NOT SE	The information i 2 and 37 CFR 1.1 Fime will vary de d be sent to the C NO FEES OR CO	is required to obtain 4. This collection pending upon the hief Information (MPLETED FORM	n or retain a benefit by is estimated to take 12 individual case. Any co officer, U.S. Patent and is TO THIS ADDRESS	the public which is to file (and minu es to complete, includin omments on the amount of tin Trudsmark Office, U.S. Depa S. SPND TO: Commissioner (by the USPTO to process) g gathering, preparing, and ne you require to complete attment of Commerce, P.O. for Paranta, P.O. Hop. 1460,

PTOL-85 (Rov. 12/04) Approved for use through 04/30/2007.

OMB 0651-0033 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PAGE 2/3 * RCVD AT 2/23/2005 4:36:58 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-2/1 * DNIS:7464000 * CSID:3308772030 * DURATION (mm-ss):01-42 02/24/2005 JBALINA2 00000131 501066 10085406

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

01 FC:1501 02 FC:1504

1400.00 DA 300.00 DA



MARTIN & FERRARO, LLP 1557 Lake O'Pines Street, NE Hartville, Ohio 44632

Telephone (330) 877-0700

Facsimile (330) 877-2030

FACSIMILE TRANSMITTAL

TO:

FROM:

Name: Mail Stop ISSUE FEE

Name:

Thomas H. Martin, Esq.

Firm: U.S. Patent & Trademark Office

Phone No.: 330-877-2277

Fax No.: 703-746-4000

No. of Pages (including this):

Subject: U.S. Patent Application No. 10/085,406

Date:

February 23, 2005

Gary K. Michelson

Filed: March 1, 2002

Confirmation Copy to Follow: No

DYNAMIC LORDOTIC GUARD WITH MOVABLE EXTENSIONS FOR CREATING AN IMPLANTATION

SPACE POSTERIORLY IN THE LUMBAR SPINE AND METHOD FOR USE THEREOF

Attorney Docket No. 101.0093-00000

Customer No. 22882 Confirmation No. 6768

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Issue Fee Transmittal Form (in duplicate; total amount of \$1,700.00 to cover the \$1400 issue fee and \$300 publication fee is to be charged to Deposit Account No. 50-1068) is being facsimile transmitted to the U.S. Patent and Trademark Office on February 23, 2005.

Sandra L. Blackmon

If there is a problem with this transmission please call Sandy Blackmon at 330-377-1202 or the sender at the number above.

The information contained in this facsimile message is privileged and confident at information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.